



Establishing Paternity for You and Your Child



PATERNITY
OPPORTUNITY
PROGRAM

What is paternity?

Paternity means fatherhood. Establishing paternity is the legal process of determining the biological father of a child. When parents are married, paternity is usually established automatically. If parents are unmarried, paternity establishment is NOT automatic and the process should be started by both parents as soon as possible for the benefit of the child. Without the establishment of paternity, the father does not have the legal rights or legal responsibilities of a parent. Establishing paternity is necessary before custody, visitation and child support can be ordered by the court. Establishing paternity allows an unmarried father to have his name placed on the birth certificate. Paternity can be established either by signing a *Declaration of Paternity* form or by going to court. If a father becomes involved with his child from the beginning of the child's life, he is more likely to continue to care both financially and emotionally for the child as he or she grows.

What is a Declaration of Paternity?

The *Declaration of Paternity* is a legal form that, when signed by both parents, says the man is the legal father. Signing the form will legally establish the man as the child's father without having to go to court. Signing the form allows an unmarried father's name to be placed on his child's birth certificate. Signing a *Declaration of Paternity* is voluntary.

Where can I obtain a Declaration of Paternity?

You can obtain a *Declaration of Paternity* form at the hospital or clinic right after your child is born. Signing the form in the hospital is a quick, easy and free way to have the father's name added to his child's birth certificate. Your local registrar of births and deaths' office, county family support, family law facilitator or welfare offices can also provide you with a *Declaration of Paternity* form. If you choose to complete and sign the *Declaration of Paternity* after leaving the hospital, you will have to pay a fee to the State Office of Vital Records to have the father's name added to the birth certificate.

State of California
Gray Davis, Governor

**Health and Human
Services Agency**
Grantland Johnson, Secretary

**California Department
of Child Support Services**
Curtis L. Child, Director

PUB 244 (4/01)



**Your Child Support
Enforcement Office:**

If not stamped below, consult the telephone book under District Attorney's Office.





rights and privileges

love

How can a Declaration of Paternity help you?

When the parents of a child are not married at the beginning of the pregnancy or at the birth of the child, the father is NOT considered a legal parent with rights or responsibilities for the child. To help gain legal rights as the child's father, he can sign the *Declaration of Paternity* form. It will legally establish a parent-child relationship between the child and father, without going to court.

How the child benefits

By establishing paternity, a child gets the legal rights and privileges of a child born within a marriage. Those rights and privileges may include:

- support from both parents
- legal documentation of who his or her parents are
- access to family medical records
- medical and life insurance coverage from either parent, if available
- inheritance protections
- social security and veteran's benefits, if available
- the emotional benefits of knowing who both parents are

How the father benefits

Establishing paternity can help the father experience the companionship and emotional rewards that come with spending time with his child. He can enjoy the benefits of paternity which may include:

- legal establishment of parental rights and responsibilities
- having his name added to the child's birth certificate
- the opportunity to give the child his name if both parents choose
- the ability to add the child to his health insurance plan
- the assurance that social security or veteran's benefits are paid to the child in the event of his death or disability, if eligible
- protecting his child's right to inherit from him
- the right to seek custody or visitation, in a court action, and to be consulted about the adoption of the child

How the mother benefits

Establishing paternity can help a mother by sharing the financial burden and emotional pressure that many single parents experience. Cooperative parenting can provide strong emotional support for the mother, father and child. The mother can also enjoy the benefits of paternity which may include:

- improving financial security for the family
- information about family medical history
- help in sharing the parental responsibilities
- access to medical insurance coverage for the child, if available

Can I rescind or cancel the Declaration of Paternity after I sign it?

Either parent may cancel the *Declaration of Paternity* by completing a *Rescission of Paternity* form. This form must be filed with the California Department of Child Support Services within 60 days of the date the paternity declaration was signed. The rescission form should be sent to:

California Department of Child Support Services
Attention: POP Unit
C/O Data Image Systems
3062 Prospect Park Drive,
Suite A

Sacramento, CA 95670

This form is available at your local child support agency, local registrar of births and deaths' and at the law facilitator's offices.

Where do I go if I have more questions?

For more information about the *Declaration of Paternity*, establishing parentage or child support, please contact your local child support office, Family Law Facilitator's Office or legal services organization. **For further information contact the State POP Coordinator at (866) 249-0773.**



emotional support

